
IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

In Re:)	Case No.: 16-27236
)	
Steven L Demma & Kristen K Demma)	Chapter 13
)	
Debtor(s).)	Judge Donald R. Cassling

NOTICE OF MOTION & SHORTEN NOTICE

TO: See attached service list via U.S. Mail and Electronic Service Notice to applicable parties

PLEASE TAKE NOTICE that on September 22, 2021, at 10:00 am, I will appear before the Honorable Donald R. Cassling or any judge sitting in that judge's place and present the attached Motion to Obtain/Incur Debt on shortened notice, and shall request that the attached Order be entered, a copy of which is hereby filed with this notice.

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

To appear by video, use this link: <https://www.zoomgov.com/>. Then enter the meeting

ID and password. - Meeting ID: 161 414 7941 - Passcode: 619

To appear by telephone, call Zoom for Government at 669-254-5252 or 646-828-7666. Then enter the meeting ID and password above.

The meeting ID and password can also be found on the judge's page on the court's web site.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

By: David H Cutler
Attorney for Debtor
4131 Main St. Skokie, IL 60076
cutlerfilings@gmail.com

CERTIFICATE OF SERVICE I, David H Cutler, certify/declare under penalty of perjury under the laws of the United States of America that I served a copy of this notice and the attached motion/application on each entity shown on the attached list at the address shown and by the method indicated on the list on September 9, 2021, before 8:00 p.m.

/s/ David H. Cutler
David H. Cutler, esq.

Attorney for Debtor(s)
Cutler & Associates Ltd.
4131 Main St.
Skokie IL 60076
(847) 673-8600

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MOTION TO OBTAIN/INCUR DEBT

NOW COMES the Debtor, Kristen Demma, (hereinafter referred to as “DEBTOR”), by and through her attorneys, Cutler and Associates, Ltd., and move this Honorable Court for entry of an Order allowing the Debtor to Incur/Obtain Debt and in support thereof, respectfully represents as follows:

1. On August 24, 2016, the Debtor filed a petition for relief under Chapter 13 of the Bankruptcy Code.
2. The Debtor’s Chapter 13 Plan was confirmed on October 19, 2016.
3. The confirmed plan calls for monthly payments of \$495 per month for 60 months with unsecured creditors receiving 14% of their timely filed or allowed claims.
4. That the Debtor has made timely plan payments.
5. The Debtor wishes to purchase a real property, 624 Hawley Drive Unit 352, Oswego, IL 60543, hereinafter referred to as “real property”.
6. That the Debtor has entered into an agreement with the seller with a purchase price of \$234,000. (See Exhibit A)
7. That the Debtor has been approved for financing through Loandepot.com, LLC, the loan financing is in the amount of \$233,197, with a 3.375% fixed interest rate for 30 years. (See Exhibit B)

8. The Debtor's approximate monthly mortgage payment will be \$1,030.96 per month which includes principal, interest, escrow, and insurance.
9. That the Debtor can afford to incur this mortgage loan, when the case was filed her rent was at \$1,400 per month, the new mortgage payment will be less than her rent at the time the case was filed. Debtor can afford the loan, home upkeep and her Bankruptcy plan payment as she filed in good faith and intends to complete her plan of reorganization.
10. That potential closing for this real estate transaction is set for October 1, 2021.
11. That the Debtor brings this motion on shortened notice as they seek to close this real estate transaction on October 1, 2021, any prolonging of that date may cause the Debtor irreparable harm in losing their prospective seller and or incurring fees for the delay.

WHEREFORE, DEBTOR prays that this Honorable Court enter an order permitted the Debtor to incur home loan financing through Loandepot.com, LLC, and allow her to purchase the real property at 624 Hawley Drive Unit 352, Oswego, IL 60543 in the amount of \$233,197, with a fixed interest rate of 3.375% and a term lasting 30 years with a monthly payment of \$1,030.96 and shorten notice.

Respectfully submitted,

By: /s/ David H. Cutler
David H. Cutler, esq.
Attorney for Debtor(s)
Cutler & Associates Ltd.
4131 Main St. Skokie IL 60076
(847) 673-8600